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5 [ADDITIONAL COUNSEL LISTED ON  
FOLLOWING PAGE]

6 Attorneys for PROPOSED-INTERVENORS  
7 WESTERN ENERGY ALLIANCE and  
INDEPENDENT PETROLEUM  
ASSOCIATION OF AMERICA

8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

10 STATE OF CALIFORNIA, by and through  
11 XAVIER BECERRA, ATTORNEY  
GENERAL; and the CALIFORNIA AIR  
12 RESOURCES BOARD; and STATE OF  
NEW MEXICO, by and through HECTOR  
13 BALDERAS, ATTORNEY GENERAL,

14 Plaintiffs,

15 v.

16 RYAN ZINKE, Secretary of the Interior;  
JOSEPH R. BALASH, Assistant Secretary for  
Land and Minerals Management, United States  
Department of the Interior; UNITED STATES  
17 BUREAU OF LAND MANAGEMENT; and  
UNITED STATES DEPARTMENT OF THE  
INTERIOR,  
18 Defendants.

19 Case No. 4:18-cv-05712-DMR

20 **PROPOSED-INTERVENORS WESTERN  
ENERGY ALLIANCE'S AND  
INDEPENDENT PETROLEUM  
ASSOCIATION OF AMERICA'S SECOND  
AMENDED NOTICE OF MOTION TO  
INTERVENE**

21 REQUESTED Hearing Date: November 8, 2018  
REQUESTED Hearing Time: 11:00 a.m.  
Courtroom: 4, 3rd Floor

22 [The Hon. Magistrate Donna M. Ryu]

23 Trial Date: None Set

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1                   **SECOND AMENDED NOTICE OF MOTION AND MOTION TO INTERVENE**  
 2                   **TO THE COURT, AND TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**  
 3                   **PLEASE TAKE NOTICE THAT** pursuant to the Clerk's Notice (Dkt. No.'s 8 & 11),  
 4 Western Energy Alliance (Alliance) and the Independent Petroleum Association of America  
 5 (IPAA) (collectively, the "Proposed-Intervenors"), file this *Second Amended* Notice that on  
 6 *November 8, 2018 at 11:00 a.m. in Courtroom 4, 3rd Floor, Oakland Courthouse, 1301 Clay*  
 7 *Street, Oakland, California 94612* of the above-titled Court, Proposed-Intervenors will and hereby  
 8 do move this Court for an Order granting the Proposed-Intervenors' Motion to Intervene in the  
 9 above-titled action. Also pursuant to the Clerk's Notice (Dkt. No.'s 8 & 11), Proposed-  
 10 Intervenor's Motion (Dkt. 5) is not being re-filed with this Second Amended Notice, and the  
 11 briefing schedule for the Motion remains in effect.

12                  The Motion to Intervene is made pursuant to Federal Rule of Civil Procedure 24 because  
 13 the Proposed-Intervenors have an interest in this action that will not be adequately represented by  
 14 the named Defendants, and this interest is sufficient to warrant intervention as a matter of right  
 15 under Rule 24(a), or, alternatively, by permissive intervention under Rule 24(b).

16                  The Motion to Intervene is based on this Notice; the following Memorandum of Points and  
 17 Authorities; the Declaration of Kathleen Sgamma and the [Proposed] Order filed concurrently  
 18 herewith; all pleadings and papers filed in this action; and such oral argument and other evidence  
 19 properly presented to the Court at a hearing on the Motion.

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1 DATED: September 27, 2018

HOLLAND & HART LLP

3 By: /s/ Eric P. Waeckerlin

4 ERIC P. WAECKERLIN (*Pro Hac Vice Pending*)  
5 Attorneys for PROPOSED-INTERVENORS  
6 WESTERN ENERGY ALLIANCE and the  
7 INDEPENDENT PETROLEUM ASSOCIATION OF  
AMERICA

8 DATED: September 27, 2018

DAVIS GRAHAM & STUBBS LLP

10 By: /s/ Kathleen C. Schroder

11 KATHLEEN C. SCHRODER (*Pro Hac Vice Pending*)  
12 Attorneys for PROPOSED-INTERVENORS  
13 WESTERN ENERGY ALLIANCE and the  
14 INDEPENDENT PETROLEUM ASSOCIATION OF  
AMERICA

15 DATED: September 27, 2018

WOOD, SMITH, HENNING & BERMAN LLP

17 By: /s/ Emil A. Macasinag

18 EMIL A. MACASINAG  
19 Attorneys for PROPOSED-INTERVENORS  
20 WESTERN ENERGY ALLIANCE and the  
21 INDEPENDENT PETROLEUM ASSOCIATION OF  
AMERICA

1                   **PROOF OF SERVICE**

2                   I am Local Counsel for Proposed Intervenors. I am over the age of eighteen years and not  
 3 a party to the within action. My business address is 10960 Wilshire Boulevard, 18th Floor, Los  
 Angeles, CA 90024-3804.

4                   On September 27, 2018, I served the following document(s) described as **PROPOSED-**  
**INTERVENORS WESTERN ENERGY ALLIANCE'S AND INDEPENDENT**  
**PETROLEUM ASSOCIATION OF AMERICA'S SECOND AMENDED NOTICE OF**  
**MOTION TO INTERVENE** on the interested parties in this action as follows:

5                   **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the  
 6 document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case  
 7 who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case  
 8 who are not registered CM/ECF users will be served by mail or by other means permitted by the  
 9 court rules.

10                  I declare under penalty of perjury under the laws of the United States of America that the  
 11 foregoing is true and correct and that I am employed in the office of a member of the bar of this  
 12 Court at whose direction the service was made.

13                  Executed on September 27, 2018, at Los Angeles, California.

14                  \_\_\_\_\_  
 /s/ Adriana C. Moreno

15                  Adriana C. Moreno